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•Practice Limited to  
Federal Agencies

July 26, 2005

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Application No. 09/909,896; Filed: July 23, 2001  
For: **Methods and Systems for Digitally Processing Optical Data Signals**  
Inventors: AGAZZI *et al.*  
Our Ref: 1875.1100001

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038);
2. Fourth Supplemental Information Disclosure Statement;
3. Three Sheets of Form PTO-1449 listing thirty-seven (37) documents;
4. One copy each of documents AL1-AP1, AR1-AS1, and AL2; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
July 26, 2005  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Patrick E. Garrett  
Attorney for Applicants  
Registration No. 39,987

PEG/mlb  
Enclosures  
425194\_1.DOC



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

AGAZZI *et al.*

Appl. No.: 09/909,896

Filed: July 23, 2001

Confirmation No.: 9207

Art Unit: 2665

Examiner: Nguyen, Toan D.

Atty. Docket: 1875.1100001

For: **Methods and Systems for Digitally  
Processing Optical Data Signals**

**Fourth Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
  - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign

patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement is true and correct. Atty. Docket: 1875.1100001

Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).

7. Copies of documents AL1, AM1, AN1, AO1, AP1, AR1, AS1, and AL2 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of

U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.

- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). \_\_\_\_\_ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Patrick E. Garrett  
Attorney for Applicants  
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Date: 7/26/05

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FORM PTO-1449

FOURTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
1875.1100001APPLICATION NO.  
09/909,896

## INVENTORS

AGAZZI *et al.*

## FILING DATE

July 23, 2001

ART UNIT  
2665

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,396,224	03/1995	Dukes <i>et al.</i>			
	AB1	5,550,546	08/1996	Noneman <i>et al.</i>			
	AC1	5,554,945	09/1996	Lee <i>et al.</i>			
	AD1	5,614,855	03/1997	Lee <i>et al.</i>			
	AE1	5,703,905	12/1997	Langberg			
	AF1	5,768,268	06/1998	Kline <i>et al.</i>			
	AG1	5,881,107	03/1999	Termerinac <i>et al.</i>			
	AH1	5,945,862	08/1999	Donnelly <i>et al.</i>			
	AI1	5,949,820	09/1999	Shih <i>et al.</i>			
	AJ1	5,966,415	10/1999	Bliss <i>et al.</i>			
	AK1	6,002,279	12/1999	Evans <i>et al.</i>			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	EP 0 515 074	11/1992	EP			N/A
	AM1	EP 0 909 035	04/1999	EP			N/A
	AN1	WO 01/84702	11/2001	WO			N/A
	AO1	WO 01/84724	11/2001	WO			N/A
	AP1	WO 02/13424	02/2002	WO			N/A

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

AR1	Buchwald, A. and Martin, K., <i>Integrated Fiber-Optic Receivers</i> , Kluwer Academic Publishers, ISBN 0-7923-9549-2, Copyright 1995 (entire book submitted).
AS1	Sidiropoulos, S. and Horowitz, M. A., "A Semidigital Dual Delay-Locked Loop," <i>IEEE Journal of Solid-State Circuits</i> , IEEE, Vol. 32, No. 11, November 1997, pp. 1683-1692.
AT1	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

## FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

JUL 26 2005  
U.S. PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

1875.1100001

APPLICATION NO.

09/909,896

INVENTORS

AGAZZI *et al.*

FILING DATE

July 23, 2001

ART UNIT

2665

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,005,445	12/1999	Katakura			
	AB2	6,009,534	12/1999	Chiu <i>et al.</i>			
	AC2	6,122,336	09/2000	Anderson			
	AD2	6,134,268	10/2000	McCoy			
	AE2	6,329,859 B1	12/2001	Wu			
	AF2	6,359,486 B1	03/2002	Chen			
	AG2	6,397,048 B1	05/2002	Toda			
	AH2	6,404,525 B1	06/2002	Shimomoura <i>et al.</i>			
	AI2	6,509,773 B2	01/2003	Buchwald <i>et al.</i>			
	AJ2	6,621,862 B1	09/2003	Dabell			
	AK2	6,791,388 B2	09/2004	Buchwald <i>et al.</i>			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	WO 02/071616	09/2002	WO			N/A
	AM2						Yes
	AN2						No
	AO2						Yes
	AP2						No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR2	
	AS2	
	AT2	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449		ATTY. DOCKET NO. 1875.1100001		APPLICATION NO. 09/909,896	
FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT & TRADEMARK OFFICE		INVENTORS AGAZZI et al.		FILING DATE July 23, 2001	
JUL 26 2005		ART UNIT 2665			

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA3	2002/0034222 A1	03/2002	Buchwald et al.			
	AB3	2002/0039395 A1	04/2002	Buchwald et al.			
	AC3	2002/0044617 A1	04/2002	Buchwald et al.			
	AD3	2002/0044618 A1	04/2002	Buchwald et al.			
	AE3	2002/0080898 A1	06/2002	Agazzi et al.			
	AF3	2003/0086515 A1	05/2003	Trans et al.			
	AG3	2004/0212416 A1	10/2004	Buchwald et al.			
	AH3						
	AI3						
	AJ3						
	AK3						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3						Yes
	AM3						No
	AN3						Yes
	AO3						No
	AP3						Yes

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR3	
	AS3	
	AT3	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.